

Pre



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,469	01/14/2000	Mark A. Smith	1026-026/MMM	8443

21034 7590 09/10/2003

IPSOLON LLP  
805 SW BROADWAY, #2740  
PORTLAND, OR 97205

EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
----------	--------------

2154

5

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/483,469

Applicant(s)

SMITH, MARK A.

Examiner

Jungwon Chang

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,5-29 and 32-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-29 and 32-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**FINAL ACTION**

1. Claims 2, 4, 30 and 31 have been cancelled. Claims 1, 3, 5-29 and 32-41 are presented for examination.
2. The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior office action.
3. Claims 1, 3, 5-29 and 32-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Maurille (US 6,484,196 B1).
4. As to claims 1, 14 and 29, Maurille discloses the invention as claimed, including in a real-time computer discussion system (col. 1, lines 11-18) having a central computer system (100, fig. 1) with which each of multiple user computers are in communication (col. 6, lines 58-67) such that a common sequence and set of messages are transmitted among the user computers as substantially real-time messages of a discussion between users of the user computers (col. 2, lines 23-31, 35-37 and 53-67; col. 7, lines 1-10), the system including a computer-readable medium (104, 106, 108, 154, 156, fig. 1) that stores computer software instructions for operating the system (col. 3, lines 13-27; col. 6, lines 44-57), the improvement comprising:  
  
computer software instructions stored on the computer-readable medium (104, 106, 108, 154, 156, fig. 1) for providing plural sessions of communication between any

of the user computers and the central computer system, users of the user computers participating in the discussion during the sessions (col. 4, lines 17-27; col. 18, lines 44-49 and 58-67; col. 19, lines 1-15);

computer software instructions stored on the computer-readable medium (108, fig. 1; fig. 2) for rendering on the user computers a summary of participation in the discussion by the users during the plural sessions (col. 14, lines 61-67; col. 15, lines 1-8); and

computer software instructions stored on the computer-readable medium (108, fig. 1; fig. 2) for rendering on the user computers the common sequence and set of messages simultaneously with the summary of participation in the discussion by the users (col. 2, lines 23-41; col. 6, lines 24-43 and 51-54).

5. As to claim 21, the claim is rejected for the same reasons set forth in claim 1. In addition, Maurille discloses the user computers including display screens and the substantially real-time messages being rendered on the display screens, a graphical user interface rendered on the display screens (162, fig. 2; 770, fig. 7C; 800, fig. 8A; 820, fig. 8B; fig. 9; col. 5, lines 42-50).

6. As to claims 3, 5, 6 and 32-34, these claims are rejected for the same reasons set forth in claims 1 and 29. In addition, Maurille discloses the summary of participation in the discussion by the users and the common sequence and set of messages are rendered as separate and distinct panes of the user computers (col. 12, lines 31-46 and

56-67; col. 13, lines 1-10).

7. As to claims 7-9, 15, 16, 22-24 and 35-37, these claims are rejected for the same reasons set forth in claims 1, 14, 21 and 29. In addition, Maurille discloses discussion entry information for identifying when users who have participated in the discussion during any of the plural sessions (776, fig. 7C; col. 9, lines 15-24), and participating user information for identifying users who are currently participating in the discussion (col. 10, lines 61-67; col. 11, lines 1-7 and 11-26).

8. As to claims 10, 17, 25 and 38, Maurille further discloses discussion exit information for identifying when users who are not currently participating in the discussion (EXIT SESSION, fig. 7C; col. 19, lines 29-33).

9. As to claims 11, 18, 26 and 39, Maurille further discloses session participation information indicating a number of sessions during which each user participated in the discussion (col. 18, lines 44-49).

10. As to claims 12, 13, 19, 20, 27, 28, 40 and 41, Maurille further discloses which ones of the messages are designated as being of at least first and second selected messages types (col. 8, lines 21-65; col. 9, lines 1-14).

11. Applicant's arguments filed 6/16/03 have been fully considered but they are not persuasive.

12. In the remarks, applicants argued in substance that:

(1) Maurille does not teach or suggest in any of its modes the discussion system recites in claim 1. The "private message board system" shown in Figs. 4B-4D of Maurille does not include a common sequence and set of messages are transmitted to and rendered on multiple user computers.

(2) Conference mode in Maurille does not provide multiple sessions of discussion or a summary of participation in the discussion by the users during the plural sessions.

13. Examiner respectfully traverses applicants' remark.

As to point (1), Maurille discloses conference mode that allows each participant to simultaneously view, discuss and hear from other participants (col. 6, lines 24-43); and chat systems and instant message systems that allows users to communicate with each other at the same time in real-time (col. 2, lines 23-41), and enables the users to display communications board information and messages from other users (col. 7, lines 1-10).

The present application states that "Real-time computer discussion or chat systems allow users at multiple separate user computers to communicate with each other substantially simultaneously in real-time...The text messages are displayed on a display screen associated with each user computer as a common sequence and set of

messages, thereby allowing all users to communicate with each other simultaneously” (specification, page 1, lines 11-21).

As to point (2), Maurille discloses conference mode that allows users (i.e., more than one user sets up multiple sessions) to participate in the conferences (col. 6, lines 24-43 and 51-54).

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 8:30-6:00 (Monday-Friday).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for

Art Unit: 2154

the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

0Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Jungwon Chang  
September 8, 2003



ZARNI MAUNG  
PRIMARY EXAMINER